From: John Bleichert
To: Microsoft ATR
Date: 1/25/02 10:39am
Subject: Microsoft Settlement

Greetings!

I am writing to express my concern with the proposed settlement in the anti-trust trial against Microsoft. I am concerned not only as an American citizen, but as a citizen who has chosen not to run Microsoft computer products at home and, as a result, has seen his ability to navigate and utilize the internet decrease due to the Windows-specific protocols that are pervasive on the network. I greatly fear that, should this settlement prove ineffectualy, within 1 year I will no longer be able to even log on to the internet, much less use it in my daily life, unless I am running some version of a Microsoft operating system.

There is one specific part of the propsed settlement that presents a problem[1]:

"* Further ensuring computer manufacturers' freedom to make middleware decisions by requiring that Microsoft provide uniform licensing terms to the 20 largest and most competitively significant computer manufacturers."

This is rather vague and open to wide interpretation. To be frank, there are *no* "competitively significant computer manufacturers" in the areas that Microsoft maintains a monopoly. In the "middleware" area they are in fierce competition with several competitors, most of whose products are free and open-source, thus protecting them from being bought out of the business by Microsoft. The competition in middleware, while in peril, is still rather strong.

The major monopoly that Microsoft maintains (and mention of which is mysteriously small in document [1]) is that of their desktop operating system. Just try to go to Dell's website or CompUSA and buy a computer that doens't have some form of Windows on it. Sure, one can purchase an Apple computer, but their share of the market is so small that, due to the economy of scale, Apple computers are very expensive relative to their Windows-based counterparts.

It is this monopoly situation that is most relevant to the consumer, not the middleware situation. Microsoft faces intense scrutiny and competition in that area (middleware), and I think (hope) it will be won by an open standard based on technical merits, not the capital strength of one company. Please recall that most of Microsoft's actual competition on this planet is freely available from non-corporate entities who will probably not be helped (or hindered) by the proposal as it stands. The middleware provisions are aimed at the nebulous business competition of Microsoft, and the consumer may or may not profit from this.

Any business sanctions levied against Microsft will prove ineffectual.
This has been proven in the past. The reparations must be more fundamental
in a computing sense:

1.) Force Micorsoft to publish (and adhere to) the specifications for its
Internet Explorer browser and all it's add-on technologies (ActiveX,
VBScript, etc.) so that other, competitve browsers can view the same
content created with/for those addons and co-exist with Internet
Explorer on the Internet.

2.) Force Micorsoft to publish (and adhere to) the specifications for all
networking protocols used by its server and desktop operating systems,
so that other operating systems may co-exist with Micorsoft systems
on a network.

The publishing of these protocols must begin promptly to prevent Microsoft
from sidestepping their publication in some manner.

It is these exclusionary tactics in content and networking that provide
the greatest threat to the American (and planetary) consumer. One
corporate entity owning (yes, owning) the desktop operating system (and
therfore all the data, personal and professional) of 95% of this planet's
population is a disturbing thought.

I thank you for your time and, as an angineer in the computing field, I
trust in your resolution to close this anti-trust trial in a manner which
provides the consumer with considerably more choice than they currently
have.

Sincerely,
  John Bleichert

[1] http://www.usdoj.gov/atr/cases/f9500/9549.htm

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| John Bleichert
| syborg@stny.rr.com